

REMARKS

Claims 1-13 are pending. Claims 1, 4 and 8 have been amended. No new matter is presented.

Claims 1-13 were rejected under 35 USC 103(a) as being unpatentable over Fujiwara, U.S. Patent 6,346,949, in view of Lu, U.S. Patent 6,252,623. This rejection is respectfully traversed.

Claims 1, 4 and 8 have been amended to clarify that the image of the object without the pattern can be observed even if the object is being lighted with the patterned light. Fujiwara and Lu fail to disclose or suggest this feature. The Examiner admitted that Fujiwara does not teach a light which spreads on the region to be photographed and has a predetermined pattern within the spread area. The Examiner asserted that Lu teaches a light which spreads on the region to be photographed and has a predetermined pattern within the spreading area. However, the device of Lu does not allow one to observe the image of the object without the pattern if the object is lighted with patterned light. Thus, the features of claims 1, 4 and 8 are neither taught nor suggested by Fujiwara, Lu, or a combination thereof.

Claims 2, 3, 5-7 and 9-13 are allowable at least due to their respective dependencies. Applicant respectfully requests that this rejection be withdrawn.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for

any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 325772016900.

Dated: May 24, 2004

Respectfully submitted,

By 
Deborah S. Gladstein

Registration No.: 43,636
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7753